

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ELIMEILICH SANDEL,
Plaintiff,

v.

TRANSUNION, LLC; EQUIFAX
INFORMATION SERVICES, LLC;
EXPERIAN INFORMATION SOLUTIONS,
INC.; and VERIZON WIRELESS SERVICES,
LLC,
Defendants.

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ORDER

23 CV 245 (VB)

3/22/23

On January 11, 2023, plaintiff commenced the instant action against defendants. (Doc. #1). On January 17, 2023, the Clerk of Court issued summonses as to defendants Verizon Wireless Services, LLC (“Verizon”), Experian Information Solutions, Inc. (“Experian”), and TransUnion, LLC (“TransUnion”). (Docs. ##9–11).

On January 30, 2023, plaintiff filed a waiver of service dated January 24, 2023, as to defendant Equifax Information Services, LLC (“Equifax”). (Doc. #12). Pursuant to this waiver, Equifax’s answer is due on March 27, 2023.

On February 16, 2023, TransUnion answered the complaint. (Doc. #16).

On March 10, 2023, plaintiff filed affidavits of service indicating service of the summons and complaint on Verizon and Experian, through their registered agent, CT Corporation System, on January 31, 2023. (Docs. ##17–18). Accordingly, Verizon and Experian had until February 21, 2023, to respond to the complaint. See Fed. R. Civ. P. 12(a)(1)(A)(i).

To date, Verizon and Experian have not answered, moved, or otherwise responded to the complaint.

Accordingly, provided that Verizon and Experian remain in default, plaintiff is ORDERED to seek a certificate of default as to Verizon and Experian by April 5, 2023, and

thereafter to move, by order to show cause and in accordance with the Court's Individual Practices, for default judgment against Verizon and Experian by April 19, 2023. If plaintiff fails to satisfy either deadline, the Court may dismiss the case as to Verizon and Experian without prejudice for failure to prosecute or failure to comply with court orders. Fed. R. Civ. P. 41(b).

Dated: March 22, 2023
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge